

**THE MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** is scheduled to be held on **MONDAY, July 25, 2011**, following the meetings of any scheduled Committees at **6:05 p.m.**, in the **ASSEMBLY ROOM, BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.**

**CALL TO ORDER**

**APPROVAL OF MINUTES:**

**Public Hearings**  
**Regular Council Meeting**

**June 27, 2011**  
**June 27, 2011**

**PUBLIC DISCUSSION - Requests to be heard must be made prior to Call to Order and comments must be limited to Agenda items only.**

***COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES PER SPEAKER. (A TOTAL OF 30 MINUTES WILL BE ALLOTTED FOR THIS PUBLIC DISCUSSION PERIOD.)***

**EXECUTIVE SESSION** to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the County; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

**CHAIRMAN OF COUNTY COUNCIL**

**THIRD READING:**

- 1. Bill No. 11-20, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Cypress Village LLC & Worley Investments LLC**, located at 679 Treeland Drive, Ladson, **Portion of TMS #242-00-01-008, -066, -094** (2.04 +/- Acres), from **R-5, Multi-family Residential District & OI, Office Institutional District & Flex-1, Agricultural District** to **GC, General Commercial District**. Council District No. 5.  
[Recommended by Committee on Land Use]
- 2. Bill No. 11-21, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Dean Hensley**, located at 210 & 216 Cember Way, Summerville, **TMS #232-16-01-001, 232-16-01-004, -005, -006, -007, -008, -009**, (9.76 +/- Total Acres) from **GC, General Commercial District** to **LI, Light Industrial District**. Council District No. 4.  
[Recommended by Committee on Land Use]

3. **Bill No. 11-22**, an **ordinance** approving and authorizing the grant of a **utility easement** to **Berkeley Electric Cooperative** on a portion of County property known as the **Berkeley County Airport**.  
[Recommended by Committee on Community Services]
4. **Bill No. 11-23**, an **ordinance** authorizing the execution and delivery of one or more incentive agreements by and among Berkeley County, South Carolina, and **Project Surge**, and one or more affiliated or related entities, as sponsor, to provide for a **fee in lieu of taxes** incentive; to provide for a sponsor affiliate; to provide for the inclusion of the project in a multi-county business or industrial park; to provide for special source revenue credits; and to enter into any other necessary agreements with the sponsor and sponsor affiliate to effect the intent of this ordinance; and other related matters.  
[Recommended by Committee on Finance]

### **SECOND READING:**

1. **Bill No. 11-24**, an **ordinance** to authorize the County Supervisor to execute a **quit claim deed** from Berkeley County to **Foster Creek Village, LLC**, for the property herein described as a portion of Foster Creek Road.
2. **Bill No. 11-26**, an **ordinance** authorizing pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee agreement between Berkeley County, South Carolina and **Pegasus Steel, LLC, Dynamic Solutions, LLC** and **Alton Property Management Group, LLC**; and matters relating thereto.

### **FIRST READING:**

1. **Bill No. 11-27**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Ocie Wright**, located on 313 Glenridge Lane, Cordesville, **TMS #184-00-00-072** (1.42 +/- Acres) from **R15, Preservation Residential District to Flex-1, Agricultural District**. Council District No. 8.
2. **Bill No. 11-28**, an ordinance establishing a **Stormwater Management Utility** for the purpose of implementing the **Berkeley County Stormwater Management Program** and satisfying the regulatory requirements of the State of South Carolina NPDES general permit for stormwater discharges from regulated small municipal separate storm sewer systems; planning, designing, constructing, funding, and maintaining stormwater management, sediment control, and flood control programs, projects and facilities; and reviewing and approving stormwater management and sediment control plans for land disturbing activities; and providing for the administration and enforcement thereof.
3. **Bill No. 11-29**, an **ordinance** providing for the allocation of revenues generated by the **Berkeley/Williamsburg Joint Industrial and Business Park**; repealing Ordinance No.

96-1-2, as amended, in its entirety; repealing any resolutions pertaining to the allocation of revenues generated by the Joint Industrial and Business Park in their entirety; and other matters related thereto.

### **RESOLUTIONS:**

1. **RESOLUTION** commending the service of **Barbara B. Austin** as the Berkeley County Clerk to Council.
2. **RESOLUTION** approving a **Third Amendment** to that certain **Development Agreement** by and between **MWV-Parks of Berkeley, LLC** and Berkeley County dated April 3, 2006 and recorded in the Berkeley County Register of Deeds on April 21, 2006 in volume 5549 at page 2 pursuant to the South Carolina Local Government Development Agreement Act and Berkeley County Ordinance 97-1-2, as amended, and authorizing the County Supervisor to execute said Third Amendment to the Development Agreement.
3. **RESOLUTION** amending Section IV of Part Six of the **Berkeley County Personnel Manual** relating to **Retirement and Retiree Benefits**.
4. **RESOLUTION** to provide matching funds for a **Community Development Block Grant (CDBG)** application for the St. Stephen Library.

### **REPORTS FROM STANDING COMMITTEES:**

1. **Committee on Finance.**  
Council Member, Mr. Jack H. Schurlknight, Chairman.
2. **Committee on Land Use.**  
Council Member, Mr. Phillip Farley, Chairman.
3. **Committee on Public Works and Purchasing.**  
Council Member, Mr. Caldwell Pinckney, Jr., Chairman.
  - a. Purchase of Soil Compactor
  - b. Purchase of Ambulance
4. **Committee on Justice and Public Safety.**  
Council Member, Mr. Steve C. Davis, Chairman.
  - a. Acceptance of the 2011 Edward Byrne Memorial Justice Assistance Grant (JAG). No matching funds required.
5. **Committee on Water and Sanitation.**  
Council Member, Mr. Robert O. Call, Jr., Chairman.

- 6. Committee on Planning and Development.**  
Council Member, Mrs. Cathy S. Davis, Chairman.
- 7. Committee on Community Services.**  
Council Member, Mr. Timothy J. Callanan, Chairman.
  - a. LSTA Grant for Mobile Literacy Mobile**
- 8. Committee on Human Services.**  
Council Member, Mr. Dennis Fish, Chairman.

#### **NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.**

AERONAUTICS COMMISSION

CHARLESTON REGIONAL DEVELOPMENT ALLIANCE

CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS

DEVON FOREST

LIBRARY BOARD

Dr. Patricia H. Richards

Mrs. Sandra Decker

Ms. Cassandra Rogers

MENTAL HEALTH BOARD

SANGAREE SPECIAL TAX DISTRICT

TAX ASSESSMENT REVIEW BOARD

ZONING APPEALS BOARD

#### **CORRESPONDENCE**

#### **UNFINISHED BUSINESS**

#### **NEW BUSINESS**

#### **ANNOUNCEMENTS**

**THE JULY 2011, REGULAR MEETING OF BERKELEY COUNTY COUNCIL, WILL BE HELD ON MONDAY JULY 25, 2011, IMMEDIATELY FOLLOWING PUBLIC HEARINGS AND ANY SCHEDULED COMMITTEE MEETINGS AT 6:00 PM, IN THE ASSEMBLY ROOM OF THE BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.**

#### **ADJOURNMENT**

**EXECUTION OF DOCUMENTS BY COUNCIL**

**PUBLIC DISCUSSION**

**COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES AND MAY BE ON ANY MATTER.**

July 20, 2011  
S/Catherine R. Windham  
Acting Clerk of County Council